

**Amendments to the Drawings:**

The attached sheet of drawings includes changes to Figure 1. This sheet replaces the original sheet.

Attachment

**Remarks/Arguments:**

**Preliminary Matters**

Claims 1 and 3-14 are presently pending and all pending claims stand rejected. By this amendment, claims 1, 4, 5, 7, 8, 9, and 13 are amended and claim 10 is canceled. Support may be found throughout the specification as originally filed. For example, see page 4, lines 17-18. Applicant contends that no new matter is added. Reconsideration is respectfully requested in view of the above amendments and the following remarks.

**Objection to the Drawings**

Page 2 of the Office Action recites "...the step of 'consulting said databases A and P' must be shown..." Applicant herein amends FIG. 1 of the drawings to include the step of consulting the databases A and P. No new matter is added. Accordingly, applicant respectfully requests that the objection to the drawings be withdrawn.

**Claim Rejection Under 35 U.S.C. §112**

Page 3 of the Office Action recites that "Claim 1 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite..." Applicant herein amends claim 1 to remedy the informalities. Applicant contends that this amendment obviates the rejection, and withdrawal of the rejection to claim 1 as indefinite is respectfully requested.

**Claim Rejection Under 35 U.S.C. §101**

Page 4 of the Office Action recites that "Claims 1 and 3-14 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter." The Office Action asserts that the claimed subject matter provides for "'showing only products or services having those selected values to said person j'" and in the case where "no products or services have the selected values, the method has no result." Applicant contends that claims 1 and 3-14 is directed to statutory subject matter. In the theoretical embodiment reasoned in the Office Action, the produced result of showing no products or services matched to person j is nonetheless a result (e.g., a result of 0). Because there is a difference between the asserted "no result" and a result of 0, withdrawal of the rejection to claims 1 and 3-14 under 35 U.S.C. §101 is respectfully requested.

**Claim Rejection Under 35 U.S.C. 102(b):**

Page 4 of the Office Action recites that "Claims 1 and 3-14 are rejected under 35 U.S.C. 102(b) as being anticipated by Herz et al., U.S. Pat. 5,835,087." Applicant respectfully submits that these claims are allowable over Herz for at least the reason set forth below.

Claim 1, as amended, recites features that are neither disclosed nor suggested by Herz. These features include:

- creating a database  $A = [a_{ij}]$  including, for said person  $j$ , said universe of attributes  $V_i$  ordered by their calculated weight  $w_{ij}$ ;
- creating a database  $P = [p_{ij}]$  including, for said person  $j$ , said universe of attributes  $V_i$  ordered by a corresponding objective interest level  $Z_i = [z_1, z_2, \dots, z_N]$ , wherein said objective interest level is determined by a vendor who offers the products or services; and
- consulting said databases  $A$  and  $P$ , matching said databases  $A$  and  $P$ , selecting from matched databases attributes  $V_i$  whose importance, weight or sensibility  $w_{ij}$  are higher than a specific value, and showing only products or services having those selected attributes to said person  $j$ .

This means that the method includes creating a database  $P$ , with each person  $j$  in the database having attributes ordered by an objective interest level that is determined by a vendor who offers the products or services.

Herz discloses a system for generation of object profiles. Herz does not disclose, teach, or suggest a method for targeting products or services to a person in which "said objective interest level is determined by a vendor who offers the products or services." Instead, on column 5, lines 36-40, Herz discloses that interests (and associated interest levels) are determined by a user who purchases products or services. Accordingly, applicant contends Herz does not disclose, teach, or suggest that "said objective interest level is determined by a vendor who offers the products or services."

Pages 5, 6, 10, and 11 of the Office Action assert that Herz discloses that "said objective interest level is determined by a vendor who offers products or services" because the "vendor" as recited in claim 1 is alleged to be the equivalent of a "relevant server." Herz has been described above. In Herz, objective interest level is not determined by a "relevant server" because interest level is determined by the user. On column 5, lines 52-55, Herz discloses that the server acts as an intermediary between the user and information provider (e.g., marketers and advertisers). Thus, Herz describes a system in which users determine interest levels and marketers/advertisers offer products and services based on the users' determined interest levels. Accordingly, the "relevant server" of Herz is not the equivalent of a "vendor" as recited in claim 1 because the "relevant server" of Herz does not determine the interest level. The server is only a medium in which interest levels determined from users are matched to products or services offered from providers.

Accordingly, for the reason discussed above, applicant submits that claim 1 is allowable and withdrawal of the rejection of claim 1 as anticipated over Herz is respectfully requested.

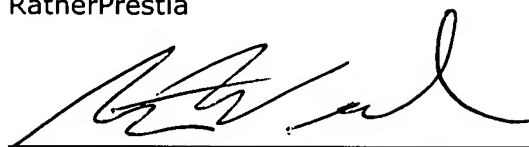
Claims 3-9 and 11-14 include all the features of independent claim 1 from which they ultimately depend. Therefore, applicant contends claims 3-9 and 11-14 are also allowable for at least the reason claim 1 is allowable. Accordingly, withdrawal of the rejections of claims 3-9 and 11-14 as anticipated by Herz is respectfully requested.

**Conclusion**

In view of the above amendments and remarks, applicant submits that this application is now in condition for allowance, which action is respectfully requested.

Respectfully submitted,

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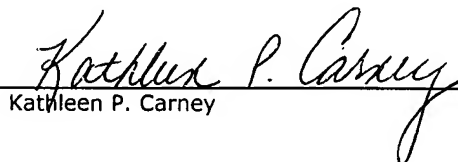
Attachment: Figure 1 (1 sheet)

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The Director is hereby authorized to charge or credit Deposit Account No. **18-0350** for any additional fees, or any underpayment or credit for overpayment in connection herewith.

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, with sufficient postage, in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on September 26, 2007.

  
Kathleen P. Carney